

MAY 21 1993

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

In the Matter of

Amendments, of Parts 32, 36, 61,
64 and 69 of the Commission's Rules
to Establish and Implement Regulatory
Procedures for Video Dialtone Service

RM-8221

COMMENTS
OF THE
NATIONAL TELEPHONE COOPERATIVE ASSOCIATION

The National Telephone Cooperative Association ("NTCA") submits these Comments to the Joint Petition of the Consumer Federation ("CFA") and the National Cable Television Association, Inc. ("NCTA") filed on April 8, 1993 and released in DA 93-463 on April 21, 1993.

NTCA is a national association of approximately 500 small local exchange carriers ("LECs") providing telecommunications services to subscribers and IXCs throughout rural America. It is interested in this proceeding because any Federal-State Joint Board recommendation affecting the provision of telephone and video dialtone service will impact the ability of the smaller LECs to bring video dialtone and other innovative services requiring broadband facilities to rural subscribers and

approach to jurisdictional separations, cost allocation, pricing and consumer safeguards.¹ In addition to the request for a Joint Board, petitioners ask the Commission to adopt video dialtone-specific cost accounting rules, to determine the proper application of its access charge and price cap rules to video dialtone, to adopt procedures for separating the costs and non-regulated video dialtone services, and to adopt video dialtone-specific rules for joint marketing and customer privacy.

If the Commission decides to proceed on the CFA/NTCA petition at all, NTCA recommends that it address the Petition in the context of comprehensive separations and access charge reform. The Commission is already considering comprehensive separations reform and NTCA and others have urged comprehensive access charge reform in a number of pending proceedings. These proceedings raise issues similar to those raised by LEC provisioning of video dialtone and the entry of competitors such as the cable operators into the provisioning of services that were previously considered monopoly telecommunications.

With respect to separations, the Commission has indicated that it intends to convene a Federal-State Joint Board to look at the broad issues involved in separations reform.³ Neither Part 36 separations changes, Part 32 accounting changes nor Part 69 changes addressed to video dialtone in particular should be considered apart from prospective rule changes needed to address the competitive telecommunications market as a whole or the technological changes which promise myriad applications with the potential to rush the benefits of the information age to consumers in all parts of the United States.

In its comments in the Expanded Interconnection proceeding, NTCA urged the Commission to consider comprehensive access charge review because it feared that a piecemeal approach would ignore

³ See, Second Notice of Proposed Rulemaking, in In the Matter of Expanded Interconnection with Local Telephone Company Facilities, CC Docket Nos. 91-141 and 80-286, released October 16, 1992, at 22, n.59.

Universal Service goals and deprive rural consumers of the benefits of the information age.⁴ This is still a concern. As NTCA and others have pointed out, the introduction of competitive access providers, and transport rate changes threaten the existing access scheme and the careful balance through which that scheme promotes Universal Service and affordable rates in high cost areas of the country. If the Commission adopts expanded interconnection for switched transport as it proposes, this delicate balance will be disturbed further. If and when it becomes necessary to formulate Part 36 or Part 69 rules for video dialtone services, a comprehensive approach would allow the Commission to give proper consideration to Universal Service goals.


⁴ Reply Comments of NTCA in In the Matter of Expanded Interconnection with Local Telephone Company Facilities, CC Docket No. 91-141, (Expanded Interconnection), filed September 20, 1991. Most recently, the United States Telephone Association asked the Commission to fully update its Part 69 rules to take account of a rapidly changing technological environment and the advent of competition. USTA has also submitted a Reform Proposal in its February 19, 1993 Reply Comments in Expanded Interconnection, Phase 1.


CONCLUSION

For the above stated reasons, NTCA urges the Commission to deny the petition for rulemaking filed by CFA and NCTA.

Respectfully submitted,

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May 21, 1993

CERTIFICATE OF SERVICE

I, Rita H. Bolden, certify that a copy of the foregoing Comments of the National Telephone Cooperative Association in RM-8221 was served on this 21st day of May 1993, by first-class, U.S. Mail, postage prepaid, to the following persons on the attached list.

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